

10/763,623



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,623	01/23/2004	Henry Dorovanessian	SONY-50T5626.01	7285

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EXAMINER

FLETCHER, JAMES A

ART UNIT	PAPER NUMBER
2616	

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/763,623

Applicant(s)

DOROVANESSIAN ET AL.

Examiner

James A. Fletcher

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <del>XXXXXX</del> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 16 is objected to because of the following informalities: The claim recites two instances of "an analog signal," one in lines 1 and 2, and again in line 4. The Examiner believes the instance in line 4 should read either --the analog signal-- or --said analog signal--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 4-6, 9-10, 13, and 15-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Hisatomi et al (US Patent Application Publication 2002/0159766).

**Regarding claims 1 and 12,** Hisatomi et al disclose a method and apparatus for digitally recording broadcast content comprising:

- receiving the broadcast content (Paragraph 12);
- storing a first digital copy of the broadcast content on a first storage medium (Paragraph 12), wherein the first digital copy is formatted to be displayed by a display device through a decoder (Paragraph 16); and
- storing a second digital copy of the broadcast content on the first storage medium (Paragraphs 39 and 40); wherein the second digital copy is formatted to be compatible with a second storage medium (Paragraph 34).

**Regarding claims 2 and 13**, Hisatomi et al disclose a method and apparatus for digitally recording broadcast content wherein the first storage medium comprises a hard disk drive unit and the second storage medium comprises a recordable DVD (Paragraphs 39 and 40).

**Regarding claims 4 and 15**, Hisatomi et al disclose a method and apparatus for digitally recording broadcast content comprising selectively creating the second digital copy, wherein the second digital copy is created after the first digital copy is created (Paragraph 12).

**Regarding claims 5 and 16**, Hisatomi et al disclose a method and apparatus for digitally recording broadcast content wherein the broadcast content comprises an analog signal (Paragraph 34).

**Further regarding claim 16** Hisatomi et al disclose an encoder for digitally encoding the analog signal (Paragraph 34); and the formatter converts the broadcast content into a format suitable to be displayed by the display device (Figure 1, "TV").

**Regarding claim 6**, Hisatomi et al disclose a method and apparatus for digitally recording broadcast content wherein broadcast content is converted to a digital format; and formatting the broadcast content to be compatible with the second storage medium (Paragraph 34).

**Regarding claim 9**, Hisatomi et al disclose a method and apparatus for digitally recording broadcast content wherein the content is a standard-definition digital broadcast (Paragraph 36).

**Regarding claim 10**, Hisatomi et al disclose a method and apparatus for digitally recording broadcast content wherein the digital broadcast is stored as the first digital copy (Paragraph 12); and the content is formatted to be compatible with the second storage medium to create the second digital copy (Paragraphs 34, 39, and 40).

**Regarding claims 17 and 18**, Hisatomi et al disclose system for digitally recording broadcast content wherein the input is a standard-definition digital broadcast (Paragraph 36).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 7-8, 11, 14, and 19-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hisatomi et al.

**Regarding claims 3 and 14**, Hisatomi et al disclose real-time recording on a DVD media (Figures 3A through 3D), but do not specifically disclose making a second digital copy of a program on that media.

The examiner takes official notice that real-time recording on a DVD is well-known, commercially available, and widely used, providing the user with a copy of an audio-visual program as it is transmitted to the user.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hisatomi et al in order to provide for a real-time recording of a second copy of the program data.

**Regarding claims 7 and 19**, Hisatomi et al disclose a method and apparatus for digitally recording broadcast content wherein the input signal is a digital broadcast (Paragraph 36), but does not specifically disclose the signal as being high definition.

The examiner takes official notice that high definition broadcast content is well-known, commercially available, and widely used, and that high definition broadcast content provides the user with increased satisfaction with the program being viewed and/or recorded.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hisatomi et al in order to allow for reception and recording of high definition broadcast content.

**Regarding claim 8 and further regarding claim 19**, Hisatomi et al disclose a method and apparatus for digitally recording broadcast content wherein the first digital copy is stored on the first storage medium (Paragraphs 36 and 37); the broadcast content is converted to an interim signal (Paragraph 37); and formatting the interim signal to be compatible with the second storage medium in order to store the second digital copy (Paragraph 39).

**Regarding claim 11**, Hisatomi et al are silent on the topic of high-speed dubbing of the second copy to the second storage medium.

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The examiner takes official notice that high-speed dubbing of digital signals is well-known, commercially available, and widely used, allowing the user to complete a copying process quickly and easily,

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hisatomi et al in order to provide for a high speed dubbing process.

**Regarding claim 20**, Hisatomi et al disclose a method for performing high-speed dubbing of broadcast content comprising:

- storing on a first storage medium a first digital copy of the broadcast content (Paragraph 12) that is encoded and formatted for display on a display device (Paragraph 16);
- formatting the first digital copy to create a second digital copy of the broadcast content that is compatible with a second storage medium (Paragraph 34);
- storing the second digital copy of the broadcast content on the first storage medium (Paragraphs 39 and 40).

Hisatomi et al are silent on the topic of high-speed dubbing of the second copy to the second storage medium.

The examiner takes official notice that high-speed dubbing of digital signals is well-known, commercially available, and widely used, allowing the user to complete a copying process quickly and easily,

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hisatomi et al in order to provide for a high speed dubbing process.

**Regarding claim 21**, please refer to Examiner's remarks regarding claims 5, 6, and 16.

**Regarding claim 22**, please refer to Examiner's remarks regarding claims 7, 8, and 19.

**Regarding claim 23**, please refer to Examiner's remarks regarding claims 9 and 10.

**Regarding claim 24**, please refer to Examiner's remarks regarding claims 2 and 13.

**Regarding claim 25**, please refer to Examiner's remarks regarding claims 3 and 14.

**Regarding claim 26**, please refer to Examiner's remarks regarding claims 4 and 15.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Fletcher whose telephone number is (571) 272-7377. The examiner can normally be reached on 7:45-5:45 M-Th, first Fridays off.

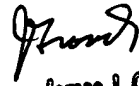
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JAF  
17 February 2006

  
James J. Groody  
Supervisory Patent Examiner  
Art Unit 262 2616